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DATE FILED: 11/04/2021**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PABLO GUERRERO, *on behalf of himself and  
all others similarly situated,*

Plaintiff,

v.

MARQUEZ HASS HOLDINGS LLC (D/B/A  
DULCE VIDA LATIN BISTRO A/K/A  
DULCE VIDA CAFE), and MARIA  
MARQUEZ,

Defendants.

No. 21-CV-7769 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On October 5, 2021, Plaintiff filed an affidavit of service stating that Defendant Maria Marquez had been served on September 29, 2021 by leaving a copy of the Summons and Complaint at her place of business with her coworker, a person of suitable age and discretion. Dkt. 9. Marquez's answer was due October 20, 2021. She has not appeared, answered, or otherwise responded to the Complaint. Marquez shall do so or seek an extension by November 29, 2021. If she fails to do so, and Plaintiff intends to move for default judgment, he shall do so by December 13, 2021.

The Court observes, however, that the affidavit of service does not state that Defendant Marquez Hass Holdings LLC was served. Plaintiff shall either file proof of service as to that Defendant or file a letter explaining how Marquez's coworker is authorized under state law to accept service on behalf of Marquez Hass Holdings LLC. *See* Fed. R. Civ. P. 4(h); N.Y. C.P.L.R. § 311.

SO ORDERED.

Dated: November 4, 2021  
New York, New York



Ronnie Abrams  
United States District Judge